

Amendments to the Claims:

This listing will replace all prior versions, and listings, of claims in the application:

Listing of Claims:

1 - 20. (canceled)

21. (currently amended) An inkjet recording element comprising a support having thereon an ink receiving layer capable of accepting an inkjet image comprising at least one layer comprising crosslinked porous polyester particles; ~~wherein at least 58% of said crosslinked porous polyester particles~~ that have a mean diameter of less than 0.5 micrometers.

22. (original) The inkjet recording element of claim 21 wherein said at least one layer further comprises a polymeric binder.

23. (original) The inkjet recording element of claim 22 wherein said particles comprise between 50 and 95% by weight of said at least one layer.

24. (original) The inkjet recording element of claim 22 wherein said particles comprise between 75 and 90% by weight of said at least one layer.

25. (original) The inkjet recording element of claim 22 wherein said polymeric binder comprises poly(vinyl alcohol).

26. (original) The inkjet recording element of claim 22 wherein said polymeric binder comprises sulfonated polyester.

27. (original) The inkjet recording element of claim 22 wherein said polymeric binder comprises gelatin.

28. (original) The inkjet recording element of claim 22 wherein said polymeric binder comprises water dispersible polyurethane.

29. (currently amended) ~~An~~ The inkjet recording element of claim 21 comprising a support having thereon an ink receiving layer capable of accepting an inkjet image, comprising at least one layer comprising crosslinked porous polyester particles, wherein said crosslinked porous particles are a component of an at least bimodal system including at least one particle size system distribution mode of a mean particle diameter greater than 0.5 micrometers, and at least one particle size distribution mode of a mean particle diameter less than 0.5 micrometers.

30. (currently amended) The inkjet recording element of claim 29 wherein each mode of said porous particles have a standard deviation in the mean diameter the value of which is between 0.3 times the mean particle diameter and 3 times the mean particle diameter.

31. (original) The inkjet recording element of claim 29 wherein said system includes at least one particle size distribution mode of a mean particle diameter between 1 and 10 micrometers.

32. (original) The inkjet recording element of claim 29 wherein said system includes at least one particle size distribution mode of a mean particle diameter between 1 and 3 micrometers.

33. (original) The inkjet recording element of claim 21 wherein said porous polyester particles further comprise the copolymerization product of at least one ethylenically unsaturated monomer.

34. (original) The inkjet recording element of claim 21 wherein said porous polyester particles further comprise the copolymerization product of at least one ethylenically unsaturated monomer selected from the group consisting of styrene, divinylbenzene, divinyl adipate and cyclohexanedimethanol divinyl ether.

35. (previously presented) The inkjet recording element of claim 21 wherein said polyester particle is made from a precursor polyester comprising at least

one member the group consisting of maleic, fumaric, itaconic, phenylenediacyric, citraconic and mesaconic acid.

36. (previously presented) The inkjet recording element of claim 35 wherein said polyester particle is made from a precursor polyester, wherein said precursor polyester further comprises sulfonated monomer.

37. (previously presented) The inkjet recording element of claim 35 wherein said polyester particle is made from a precursor polyester, wherein said precursor polyester has an acid number of at least 10.

38. (currently amended) The inkjet recording element of claim 35 wherein said polyester particle is made from a precursor polyester, wherein said precursor polyester has a molecular weight (Mn) of 1,000 to 30,000.

39. (original) The inkjet recording element of claim 21 wherein said element further comprises at least one layer comprising porous polyester particles having a mean diameter of greater than 0.5 micrometers.

40. (currently amended) The inkjet recording element of claim 39 wherein said at least one layer comprising porous polyester particles having a mean diameter of greater than 0.5 micrometers is located below said layer comprising crosslinked porous polyester particles having a mean diameter of less than 0.5 micrometers.

41. (currently amended) The inkjet recording element of claim 40 wherein said at least one layer comprising porous polyester particles is bimodal with one mode having a mean diameter of greater than 0.5 micrometers and the second mode ~~further~~ comprises porous polyester particles having a mean diameter of less than 0.5 micrometers.

42. (currently amended) The inkjet recording element of claim 40 wherein said at least one layer comprising a mode of porous polyester particles

comprising porous polyester particles having a mean diameter of less than 0.5 micrometers further comprises a mode of porous polyester particles having a mean diameter of greater than 0.5 micrometers.

43. (currently amended) The inkjet recording element of claim 40 wherein said at least one layer comprising porous polyester particles comprising a mode of porous polyester particles having a mean diameter of less than 0.5 micrometers further comprises a second mode of porous polyester particles having a mean diameter of greater than 0.5 micrometers and wherein said at least one layer comprising porous polyester particles comprising a mode of porous polyester particles having a mean diameter of greater than 0.5 micrometers further comprises a second mode of porous polyester particles having a mean diameter of less than 0.5 micrometers.

44. (original) The inkjet recording element of claim 40 wherein said layer comprising porous particles having a mean diameter of less than 0.5 micrometers has a thickness of between 1 and 20 micrometers.

45. (original) The inkjet recording element of claim 40 wherein said layer comprising said at least one layer comprising porous polyester particles having a mean diameter of greater than 0.5 micrometers has a thickness of between 5 and 50 micrometers.

46. (currently amended) The inkjet recording element of claim 40 wherein ~~The the ink receiving layers of claim 40 having have~~ a combined thickness of between 6 and 65 micrometers.

47. Canceled

48. (previously presented) The inkjet recording element of claim 21 wherein said element has a single layer and has a surface gloss of greater than or equal to 20 at 60 degrees.

49. (original) The element of Claim 21 wherein said support is paper or a coated paper.

50. (original) The element of Claim 21 wherein said support is selected from the group consisting of poly(ethylene terephthalate), a polyolefin-coated and a polyolefin-laminated paper.

51. (original) The element of Claim 21 wherein said support is transparent.

52. (withdrawn/currently amended): A method of forming an inkjet print comprising providing an inkjet recording element comprising crosslinked porous polyester particles, wherein ~~at least 58% of~~ said crosslinked porous polyester particles have a mean diameter of less than 0.5 micrometers and printing on said inkjet recording element utilizing an inkjet printer.

53. and 54. (canceled)